## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

SHARIF STINSON, MARIAM FARNUM, CHARLEAN FINLEY, RYBURN WALKES, JAMEL TOWE, CHRISTIAN DUDLEY, JOCELEY FERDINAND, GARY SHAW, MICHAEL BENNETT, CHANEL MEAUSA, DAVID THOMPSON, JULIUS DIXON, JOSEPH SARPONG, JEREMY THAMES, SEAN PETTIGREW, LEANDER GRIFFIN, BRIAN MORRIS, MICA ANCRUM, RICARDO JONES, VICTOR BRELAND, LINDSEY RIDDICK and MICHAEL RIDDICK, on behalf of Themselves and Other Similarly Situated,

**NOTICE OF MOTION** 

10 Civ. 4228 (RWS)

Plaintiffs,

## -against-

THE CITY OF NEW YORK, RAYMOND KELLY, Commissioner of the New York City Police Department, Individually and in his Official Capacity, and P.O.s "JOHN DOE" #1-50, Individually and in their Official Capacities, (the name John Doe being fictitious, as the true names are presently unknown),

## Defendants.

PLEASE TAKE NOTICE that upon the accompanying memorandum of law, dated April 4, 2014, and all pleadings and proceedings previously had herein, defendants City of New York and Raymond Kelly will move this Court before the Honorable Robert W. Sweet, United States District Judge, at the United States District Court for the Southern District of New York, located at 500 Pearl Street, New York, New York, 10007 at a date and time to be determined by the Court, to decertify the class herein pursuant to Fed. R. Civ. P. 23(c)(1)(C).

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Local Civil Rule 6.1(b), plaintiffs must serve and file opposition papers, if any, on or before April 18, 2014, and defendants must serve and file reply papers, if any, on or before April 25, 2014.

Dated:

New York, New York

April 4, 2014

ZACHARY W. CARTER Corporation Counsel of the City of New York Attorney for Defendants 100 Church Street, Room 3-192 New York, New York 10007 (212) 356-2360

By:

Qiana Smith-Williams

Senior Counsel

cc: By ECF

Jon Norinsberg, Esq.

Gerald Cohen, Esq. Joshua Fitch, Esq. Cohen & Fitch LLP

Steig Olson, Esq.
Stephen Neuwirth, Esq.
Elinor Sutton, Esq.
Quinn Emanuel Urquhart & Sullivan, LLP

Attorneys for Plaintiffs